

**REGULAR COMMISSION MINUTES OF THE WILDWOOD  
COMMISSIONERS IN THE COUNTY OF CAPE MAY, NEW JERSEY**

Wednesday, June 14, 2023  
Commissioner's Meeting Room  
Time: 5:00 p.m.

**MEETING CALLED**

Meeting called to order by the Mayor.

**PLEDGE OF ALLEGIANCE**

Commissioner Mikulski leads in the Pledge of Allegiance to the Flag.

**ROLL CALL**

City Clerk called the roll and the following Commissioners answered to their names:

Fitzsimons – here, Mikulski – here, Byron - here

**OTHERS ATTENDING**

Steve O'Connor, Administrator

Louis DeLollis, Solicitor

Tony Chadwell, Remington & Vernick Engineers

Lisa A. Brown, City Clerk

Amanda Neill, Aide to the City Clerk

**OPEN PUBLIC MEETING ANNOUNCEMENT**

As per N.J.S.A. 10:4-12, the Mayor read the Open Public Meetings Act Announcement.

**PRESENTATIONS:**

• Community Energy Plan presented by Triad – Todd Noon stated, in March of 2022, the City of Wildwood submitted an application to the BPU regarding the Energy Plan and was awarded \$25,000.00. He will need a snapshot of priorities to present to the BPU, which he will write over the summer so it will be ready for approval in September. By receiving this funding, it will allow the City to apply for additional funding and will also place Wildwood above another municipality who did not apply. Commissioner Fitzsimons confirmed that they are taking this step to put the City in a position to receive additional funding. Mayor Byron believed the City already had a plan in place, which allowed the City to replace the windows. Mr. Noon said he was correct however, that that plan was to fund a very specific project. This Energy Plan will take a broader overview. Mayor Byron asked if the previous energy plan would provide the City leverage moving forward with this Energy Plan. Mr. Noon said it would, it proves the City is being proactive.

•Certificate of Presentation to Kaydence Oakley – State Semi-Finalist in the 29<sup>th</sup> Annual Louis Bay 2<sup>nd</sup> Future Municipal Leaders Scholarship Competition – The Board of Commissioners congratulated Kaydence Oakley on her accomplishment and presented her with a Certificate.

**APPROVAL OF MINUTES:**

May 24, 2023 Regular Meeting

June 8, 2023 Special Meeting

MOTION: Fitzsimons                SECOND: Mikulski

ROLL CALL: Fitzsimons – Yes, Mikulski – Yes, Byron – Yes

**ORDINANCES:**

1264-23                Ordinance Amending and Supplementing Chapter 3A, “Noise”, and Declaring Bright Park, aka, Scotty's Park a Noise-Free Zone (**SECOND READING/PUBLIC HEARING/ADOPTION**)

MOTION TO OPEN PUBLIC HEARING

MOTION: Byron                      SECOND: Mikulski

ROLL CALL: Fitzsimons – Yes, Mikulski – Yes, Byron – Yes

There being no comment, Public Hearing was closed.

MOTION: Byron                SECOND: Mikulski

ROLL CALL: Fitzsimons – Yes, Mikulski – Yes, Byron – Yes

MOTION TO ADOPT

MOTION: Byron                      SECOND: Mikulski

ROLL CALL: Fitzsimons – Yes, Mikulski – Yes, Byron – Yes

The Mayor announced Ordinance No. 1264-23 has passed Second Reading

1265-23            Ordinance Authorizing the Purchase of 3117 Shunpike Road (Bl. 1414.01, L. 23) in the Township of Middle, County of Cape May and State of New Jersey (**INTRODUCTION/FIRST READING**)

MOTION: Byron                      SECOND: Mikulski

ROLL CALL: Fitzsimons – Yes, Mikulski – Yes, Byron – Yes

The Mayor announced Ordinance No. 1265-23 has passed First Reading

1266-23            Ordinance Authorizing the Execution of an Encroachment Agreement with 3615 Pacific Avenue, LLC, owners of the property located at 3601-3615 Pacific Avenue, to permit Improvements to be located in the City Right-of-Way (**INTRODUCTION/FIRST READING**)

MOTION: Byron                      SECOND: Mikulski

ROLL CALL: Fitzsimons – Yes, Mikulski – Yes, Byron – Yes

The Mayor announced Ordinance No. 1266-23 has passed First Reading

**EARLY PUBLIC COMMENT:** None.

**RESOLUTIONS:** City Clerk read the resolutions listed on the agenda and noted Resolutions B, G and BB have been stricken from the agenda.

- 237-6-23            Authorizing the purchase of a new B-Directional Amplifier – DAS Service with RF Survey from State Contract Vendor Motorola Solutions C/O Wireless C&E, State Contract #83909 for the Wildwood Police Department in the amount of \$27,275.75
- 238-6-23            Requesting Approval of Items of Revenue and Appropriations in the sum of \$78,000.00 appropriated under the caption of Public and Private Programs Offset by Revenues: NJDCA Local Recreation Improvement Grant (LRIG) FY2023
- 239-6-23            Authorizing refund of Bulk Trash Permit to Royce and Jennifer Kosoff, 215 E. Spencer Avenue, Unit 102, due to cancellation of pick-up (\$120.00)
- 240-6-23            Authorizing the Purchasing Agent to advertise for the acceptance of bids to supply the Wildwood Water Utility with Water Works Service Goods, Meter Setters & Curb Stops, and Repair Clamps in the June 21, 2023 edition of the Cape May County Herald with bids being accepted on July 6, 2023 at 10:00am
- 241-6-23            Authorizing refund of 2023 Tourism Development Fee (TDF) to Sean Sharkey, Mercantile Acct. No. 09140, due to billing error (\$300.00)
- 242-6-23            Authorizing a Settlement Agreement between the City of Wildwood and Chief Robert Regalbuto
- 243-6-23            Authorizing the City of Wildwood to advertise notice of Public Auction of Real Property not needed for public use in the June 21, 2023 and June 28, 2023 editions of the City's Official Newspaper, with Auction being held on July 6 ,2023 at 10:30am re: 3712 Park Boulevard, Bl. 161, L. 11
- 244-6-23            Authorizing Change Order No. 1-Final as submitted by Remington & Vernick Engineers on behalf of Asphalt Paving Systems, Inc. re: Reconstruction of Syracuse Avenue – Wildwood Water Utility Portion, D&A Project No. WWU-C-012 (increase of \$24,771.25 for a total of \$344,505.00)
- 245-6-23            Authorizing change in Custodian in two Petty Cash Funds for the Police Department and the Police Department-Informant from Robert N. Regalbuto to Joseph M. Murphy
- 246-6-23            Approving 2023 Petty Cash Funds for the Purchasing Department, Police and Police-Informant
- 247-6-23            Authorizing the purchase of Sequestering Agent/Corrosion Inhibitor from Coyne Chemical for the City of Wildwood Water Utility (\$21,062.00)
- 248-6-23            Authorizing amendment of Resolution No. 201-4-22 to increase contract with Municipal Equipment Enterprise for the Upfit of Emergency Equipment for (2) Chevrolet Tahoe's for the City of Wildwood Police Department for a sum not to exceed \$80,628.03 (increase of \$13,195.93)
- 249-6-23            Authorizing Remington & Vernick Engineers, Inc. to proceed with "Roadway and Utility Design for Montgomery and Baker Avenues" (West Montgomery Avenue-Mediterranean Avenue to the Bay; West Baker Avenue-Susquehanna Avenue to Niagara Avenue; Mediterranean Avenue-Otten's Harbor to West Baker Avenue) for an amount not to exceed \$147,000.00

- 250-6-23 Authorizing Remington & Vernick Engineers, Inc. to proceed with “Oak Avenue and Wildwood Avenue Alley Reconfiguration” for an amount not to exceed \$26,900.00
- 251-6-23 Authorizing purchase of “Welcome” signs for City Beach from ABS Sign Company for an amount not to exceed \$43,680.00
- 252-6-23 Authorizing an Agreement with the Wildwood Public School District to Implement a Façade and Grounds Beautification Project at Wildwood High School in conjunction with the Wildwood’s Neighborhood Preservation Program for 2023 with the City of Wildwood’s contribution being \$20,000.00
- 253-6-23 Authorizing increase of Engineering Contract with Remington & Vernick Engineers for the Clean Water Funded portion of the 2019 Capital Improvement Program for Sanitary Sewer Laterals on Taylor Avenue (from Mediterranean to Hudson Avenues) (Increased by \$14,000.00 from \$160,400.00 to \$174,400.00)
- 254-6-23 Authorizing contract with Perna Finnigan, Inc. re: Emergency Storm Sewer Repair due to a collapse at Poplar Avenue and the Boardwalk for an amount not to exceed \$8,971.63
- 255-6-23 Authorizing increase of Engineering Contract with Remington & Vernick Engineers, Inc. for City Transportation Bank Funded portion of the 2019 Capital Improvement Program for Sidewalk Improvements at Sightseer Plaza as part of the Phase 2A Project in the amount of \$7,500.00
- 256-6-23 Authorizing Professional Services Contract with Remington & Vernick Engineers, Inc. for Ocean Avenue ADA Ramp Installation for an amount not to exceed \$4,200.00
- 257-6-23 Authorizing the purchase of Distribution Materials from Caterina Supply, Inc. for the City of Wildwood water Utility for an amount not to exceed \$19,016.00
- 258-6-23 Appointing Kathleen Fulginiti to the Wildwood Planning and Zoning Board as Alternate #3 (Term expires December 31, 2024)
- 259-6-23 Authorizing the appointment of Paid Patrolman/Patrolwoman Law Enforcement Office Recruits effective January 24, 2023
- 260-6-23 Authorizing Remington & Vernick Engineers, Inc. to proceed with FY2024 NJDOT State Aid Application for an amount not to exceed \$2,500.00
- 261-6-23 Authorizing refund of Taxes for 2023 2<sup>nd</sup> ¼, due to Corelogic paying for prior owner re: Bl. 207, L. 7 (\$2,068.77)
- 262-6-23 Authorizing payment of bills in the amount of \$3,705,073.81 dated June 14, 2023
- 263-6-23 Authorizing filing of all reports and other data contained in this agenda

MOTION: Fitzsimons

SECOND: Mikulski

ROLL CALL: Fitzsimons – Yes, Mikulski – Yes, Byron – Yes

#### **REPORTS:**

•Engineers Report – On file in the City Clerk’s Office. Mayor Byron asked when the Susquehanna Avenue project will begin. Mr. Chadwell said they are waiting for the FEMA Grant along with the Ocean Wind Grant prior to proceeding.

**ANNOUNCEMENTS:** Mayor Byron announced the Barefoot Country Music Festival would begin tomorrow.

**COMMUNICATIONS:** None.

**NEW BUSINESS:** None.

**OLD BUSINESS:** None.

**PUBLIC COMMENT:** During regularly scheduled Board of Commissioners Meeting. Remarks will limit to five (5) minutes per person. The City Clerk will be keeper of time and advise speaker when time has expired. Each member of the public will be permitted to speak only once per meeting. Criticism of public employees will be directed to the Human Resources Department during work hours only.

Keith VanMeter, 3900 Susquehanna Avenue: Mr. VanMeter stated the City passed an Ordinance regarding “Breach of Peace”. Mr. DeLollis said it is not in effect yet. The City Clerk advised him that the Ordinance would take effect on June 20<sup>th</sup>. Mr. VanMeter asked if the Ordinance would be enforced. Commissioner Mikulski said it would. Mr. VanMeter asked if the City had any Ordinances relative to excessively loud vehicles. Mr. DeLollis said he has been speaking with the Administrator, Board of Commissioners and Chief of Police regarding this issue and many others. Mr. DeLollis said the City has already shut down three pop-up events. Mr. Van Meter asked if the City had an Ordinance in place relative to vacant landlords and asked what the City can do about all of the kids. Mr. DeLollis said a number of things have been implemented and the City so far, has done as much as it could as far as juveniles on a local level. The City is has many conversations with

Senator Testa regarding this issue. Mr. DeLollis assured Mr. VanMeter these issues are happening up and down the east coast, not just Wildwood. The City is taking a very vocal stance on these issues. Mr. VanMeter wanted to know why the Police Officers are not enforcing the local laws. Mr. DeLollis told him the Police Officers are drastically limited and could be charged personally jeopardizing their livelihoods and careers. Mr. O’Connor said the City tried to indemnify the officers but cannot. Mr. VanMeter was urged to contact the Senator and Governor on these matters. Commissioner Mikulski said the “Breach of Peace” Ordinance would allow an officer to approach a juvenile and detain them until their parents come to pick them up but this does not pertain to a juvenile being seen with alcohol or marijuana on them, only if there is a mob situation. He said no one wants to be a police officer anymore. The City is doing all it can to draw the interest of police officers.

Al Brannen, 217 E. Bennett Avenue: Mr. Brannen asked why the vacant lot on Lincoln Avenue is still filled with dirt and debris. Commissioner Mikulski said the owner has been issued a citation and taken to court. Mr. Brannen wanted to know why the wooden horses have been on the sidewalk near Otten’s Harbor for so long. Commissioner Mikulski said they only went up about a month ago and are there because the sidewalk is being removed. Mr. Brannen said there have been wires hanging at Ocean and Rio Grande Avenues. Commissioner Mikulski told him the cable company has already been notified.

**ADJOURNED:** There being no further business to discuss, this meeting was adjourned at 5:53 pm. Remarks as typed highlighted not verbatim as to subject matter.

MOTION: Fitzsimons                SECOND: Mikulski  
ROLL CALL: Fitzsimons – Yes, Mikulski – Yes, Byron – Yes

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Krista Fitzsimons, COMMISSIONER

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Steve Mikulski, COMMISSIONER

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Peter Byron, MAYOR

ATTEST: \_\_\_\_\_  
Lisa A. Brown, City Clerk

DATE MINUTES APPROVED: June 28, 2023